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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/936,673 | 02/13/2002 | Mauro Costa | COSTA 2-2-3 | 8910 |

7590 09/15/2005

Lucent Technologies Inc
Docket Administrator Room 3C 512
600 Mountain Avenue
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EXAMINER

PATEL, JAY P

ART UNIT PAPER NUMBER

2666

DATE MAILED: 09/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 09/936,673 | Applicant(s) COSTA ET AL. | |
| | Examiner Jay P. Patel | Art Unit 2666 | |

-- **Th MAILING DATE of this communication appears on the cover sheet with th correspondence address --**
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 14 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 ~~is~~^{is} ~~are~~ rejected under 35 U.S.C. 102(e) as being anticipated by Liao et al. (US Patent No. 6611533 B1).

In regards to claim 1, Liao discloses, a TCAP/IP Internetworking gateway for interworking PTN/SS; network and IP network and a processor, connected to a first and a second interface; wherein the first interface is adapted to communicate with the PTN/SS; network and the second interface is adapted to communicate with the IP network using the TCP/IP messages (see figures 1 and 2, PYN/SS; network 10, IP network 20, interfaces 110 and 120, processor 130, column 10 lines 20-38). This disclosure anticipates, a telecommunications network with SS7 functionality, operating IP protocol and TCP and having an interface between the user and the core network (either the PTN/SS; network 10 or the IP network 20) an interface; wherein the interface (interface 120) is characterized by having between the user and the IP network a TCP protocol wherein SS7 information is transmitted across one interface (interface 110).

In further regards to claim 1, Liao discloses that the processor can be adapted to

provide SCCP addressing and routing the PTN/SS7 network and the IP network respectively (see figure 4 and column 12 lines 31-34). This disclosure anticipates a method in which the interface protocol layer is provided between a signaling application adopting SCCP access points to access signaling transport service and the Internet Protocol.

In further regards to claim 1, Liao discloses that the processor can be adopted to messages exchanged with the IP network (see figure 4, STIP layer 220 and column 12, lines 34-37). This disclosure anticipates the interface protocol layer providing functions not provided by the TCP or UDP because as evident from figure 4, the STIP layer is above the TCP/UDP layer.

Response to Arguments

3. Applicant's arguments filed on 7/14/2005 have been fully considered but they are not persuasive.

Applicant has cancelled claims 2-6. Applicant has further combined the limitations of claims 2 and 3 into independent claim 1. It is the examiner's stand that this new combination doesn't overcome the disclosure of the cited prior art. Applicant states on page 4 that Liao does not disclose or suggest "the interface protocol layer provides additional functions of SCCP SAPs not provided by either TCP or UDP, so as to provide the user with the same quality of service as the user would expect if a full SS7 stack were used instead." Examiner maintains that Liao does indeed teach the above-mentioned limitation (see figure 4, STIP layer 220 and column 12, lines 34-37).

In further regards, Laio discloses that The STIP protocol layer provides addressing similar to SCCP addressing when TCAP messages are transported over the IP protocol in the IP network. Furthermore, the processor can also be adapted to translate the TCAP message received from PTN/SS7 network in the first format into a second format suitable from transmission to the IP network, without altering the TCAP characteristics of the incoming message (see column 12, lines 37-44). This disclosure, doesn't suggest that the transport of messages is end-to-end reliable (TCP) or connectionless (UDP). Therefore, Liao still anticipates all the limitations of the amended claim 1.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2666

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jay P. Patel whose telephone number is (571) 272-3086. The examiner can normally be reached on M-F 9:00 am - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jay P. Patel
Assistant Examiner
Art Unit 2666

Seema S. Rao
SEEMA S. RAO 9/14/05
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800